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Email: hwalker@boultcummings.com

Henry Walker

(615) 252-2363

Fax: (615) 252-6363

T.R.A. DOCKET ROOM

May 13, 2003

Lynn Questell
Hearing Officer
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37219

Re: Petition for Declaratory Order
Docket No. 02-00890

Dear Ms. Questell:

As we have discussed, counsel for US LEC and Airstream have reviewed the proposed procedural schedule in the above-captioned matter and have concluded that, because of other commitments, it would be impossible for the parties to conduct discovery, file testimony, and prepare adequately for a hearing in this matter by mid-June.

In the alternative, the parties jointly propose the following schedule which will result in this matter being ready for hearing in six months. As you may know, this case potentially involves complex, factual issues and may also involve other carriers not currently parties to this case. For those reasons, the parties request two rounds of discovery, instead of one, thus lengthening the trial preparation period. The thirty-day period to respond to discovery is consistent with the Tennessee Rule of Civil Procedure.

June 12th – Parties file a proposed Issues List
June 16th – Issues List is issued
July 17th – Discovery requests filed
August 18th – Responses to discovery requests due
September 8th – Supplemental discovery requests due
October 1st – Responses to Supplemental discovery requests due
October 31st – Pre-filed Direct Testimony due
November 14th – Pre-filed rebuttal testimony due
Hearing at a date to be scheduled.

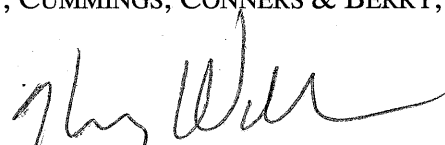
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Thank you for your consideration of this joint request which, both parties submit, is consistent with the requirements of due process and will more likely result in the development of a complete evidentiary record. Furthermore, the parties continue to attempt a settlement of this matter and believe that the time limits proposed here will facilitate that process.


Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker
Counsel for US LEC

By:


Clint Simpson
Baker Donelson Bearman & Caldwell
165 Madison Avenue
Suite 2000
Memphis, Tennessee
Counsel for Airstream

HW/dw